LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
http://www.in.gov/legislative

FISCAL IMPACT STATEMENT

LS 7301
BILL NUMBER: HB 1266

NOTE PREPARED: Jan 8, 2011
BILL AMENDED:

SUBJECT: Clark County Courts.

FIRST AUTHOR: Rep. Stemler
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: GENERAL
  DEDICATED
  FEDERAL

IMPACT: Local

Summary of Legislation: This bill establishes a unified circuit court for Clark County by combining the current judge of the Clark Circuit Court and the three judges of the Clark Superior Court into a unified circuit court with four judges. It specifies that the Clark Superior Court judges serving on December 31, 2011, serve as judges of the unified circuit court beginning January 1, 2012. It transfers all cases and other matters pending in the Clark Superior Court at the close of business on December 31, 2011, to the unified circuit court on January 1, 2012. It repeals provisions concerning the establishment and operation of the Clark Superior Court.

Effective Date: December 31, 2011; January 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: This bill could, at a minimum, redistribute the workload between the courts in Clark County depending on the rules and agreements between the judges.

Weighted Caseload Analysis -- The following table shows the weighted caseload analysis of Clark County's trial courts in CY 2009 and the number of judicial officers that each court needs to dispose of its workload. The Weighted Caseload Study published by the Indiana Supreme Court's Division of State Court Administration can identify the efficiencies of the current court systems.

This study is based on a methodology that assigns a normative amount of time that each type of case would

take to be resolved. Criminal cases, particularly capital murder cases, take the longest amount of time, while disposing infractions and ordinance violation cases takes the least.

Based on the number of filings that each court receives and the average time that each case should require to make a decision, the weighted caseload method can estimate the number of judicial officers needed to decide these cases within this normative framework. The "Need" column represents the number of judicial officers that the court needs to resolve its mixture of cases based on the average number of minutes needed for each case category. The "Have" category represents the number of judicial officers that each court has available. The "Utilization" is simply the "Need" divided by the "Have".

2009 Weighted Caseload Analysis – Clark County			
Court	Need	Have	Utilization
Circuit Court	1.84	1.1	1.7
Superior Court #1	2.58	1.6	1.6
Superior Court #2 (Drug Court)	2.16	1.0	2.2
Superior Court #3	3.63	1.5	2.4
Total for Clark County	**10.21**	**5.2**	**2.0**

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Clark County trial courts.

Information Sources: Division of State Court Administration, Indiana Supreme Court.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.